



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT
AND RECOMMENDATION TO THE SUPERINTENDENT OF SEATTLE CITY LIGHT**

Application Number: 3003400

Applicant Name : Liz Carrasquero for Cingular Wireless

Address of Proposal: 1625 S. Columbian Way

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish a minor communication facility consisting of six panel antennas (3 sector, 2 antenna per sector) located within new church cross (replace existing) for Cingular Wireless. Equipment cabinet will be located on slab at grade.

The following Master User Permit components are required:

- **Administrative Conditional Use** – Chapter 23.57.10-C2
- **SEPA - Environmental Determination** – Chapter 25.05, Seattle Municipal Code (SMC)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND INFORMATION

Site and Vicinity Description

The site is located in the at 1600 block of S. Columbian Way in the Beacon Hill neighborhood, of South Seattle. The site is across the street from the Puget Sound Health Care System – V A Hospital. The subject site is zoned Single Family with a minimum lot area of 5000 square feet

(SF 5000). The existing use of the site is the Presbytery of Seattle church. There is an existing freestanding cross on the site that is 57 feet and 4 inches tall. Zoning and use in the area is predominantly residential in character. The terrain slopes gradually from east to west then steeply at a distance from the site, however, the site itself is relatively flat.

Proposal Description

The applicant proposes a Minor Communications Utility facility consisting of six panel antennas (3 sector, 2 antenna per sector) to be located within the new church cross that is to replace the existing church cross. The proposed antennas will be entirely hidden within a freestanding hollow steel pole (Religious cross), that will replace an existing cross, and will not be visible from the exterior. The maximum height of the proposed new religious cross is 50-feet. The new Religious cross (steel pole), all exposed antennas, coax and mounting hardware will be painted to match the existing cross. The associated equipment cabinets will be located at ground level and mounted on an 8-foot x 25-foot concrete slab on grade within a 10-foot 5-inch x 26-foot fenced area surrounded by landscaping. The height of the existing Religious cross to be replaced is fifty-seven feet four inches (57'4"). The height of the new Religious cross (steel pole) would be 50', measured to the top of the cross. The size of the proposed equipment cabinet area is approximately 171 sq. ft.

Comments

One written comment letter was received during the public comment period, which ended on December 21st, 2005.

ANALYSIS AND CRITERIA - ADMINISTRATIVE CONDITIONAL USE

Section 23.57.010.C of the Seattle Municipal Code (SMC) provides that a minor communication utility may be permitted in a Single-Family Zone with the approval of an administrative conditional use permit when mechanical equipment associated with minor communication utilities whose antennas are located on another site or in the right-of-way, where the equipment is completely enclosed within a structure that meets the development standards of the zone and subject to the requirements of this section enumerated below:

- a. *The proposal shall not be significantly detrimental to the residential character of the surrounding residentially zoned area, and the facility and the location proposed shall be the least intrusive facility at the least intrusive location consistent with effectively providing service. In considering detrimental impacts and the degree of intrusiveness, the impacts considered shall include but not be limited to visual, noise, compatibility with uses allowed in the zone, traffic, and the displacement of residential dwelling units.*

The applicant stated in the submittal of the Administrative Conditional Use (ACU) application 'The proposed Cingular facility will not be detrimental to the residential character of the surrounding area, as it is designed as a collocated, stealth facility-antennas to be hidden inside a replacement church cross, next to an existing church sanctuary and offices. The entire area consists of a mix of residential, commercial and institution uses, and so the proposed wireless facility will not change the character of the area. The site will not create additional traffic or

noise, and will not displace residential units.” The visual impact is minimal and has been mitigated to the greatest extent possible.

The proposed site will provide much needed additional call capacity as well as coverage penetration for the surrounding area. The specific location (or position) of the proposed site has been selected to maximize capacity and coverage/penetration while minimizing the antenna height requirement. Significant deviation from this location will result in reduced effectiveness.

In addition, one of the reasons the cross was chosen was because of the tall trees adjacent to the cross. They form a backdrop for the religious cross to reduce the visual impact. The height is also not out of character due to the height of the adjacent trees, plus no views are blocked.

In summary, the proposed Religious cross and associated equipment will not have detrimental impact to the surrounding residentially zoned area.

b. The visual impacts that are addressed in Section 23.57.016 shall be mitigated to the greatest extent practicable.

The proposed facility will be entirely camouflaged and screened within a hollow religious cross, and so will not have a visual impact. The site is developed with a church sanctuary and offices, with an existing freestanding cross on the north side of the property, facing Columbian Way. The existing cross will be replaced with a 50-foot cross with antennas to be completely hidden inside the cross. Radio cabinets will be installed on a concrete slab on the ground adjacent to the church, and will be completely screened behind a solid cedar fence and new landscaping.

c. Within a Major Institution Overlay District, a Major Institution may locate a minor communication utility or an accessory communication device, either of which may be larger than permitted by the underlying zone, when:

- i. the antenna is at least one hundred feet (100') from a MIO boundary; and*
- ii. the antenna is substantially screened from the surrounding neighborhood's view.*

The proposed site is not located within a Major Institution Overlay, therefore this provision is not applicable.

d. If the minor communication utility is proposed to exceed the permitted height of the zone, the applicant shall demonstrate the following: (i) The requested height is the minimum necessary for the effective functioning of the minor communication utility, and (ii) Construction of a network of minor communication utilities that consists of a greater number of smaller less obtrusive utilities is not technically feasible.

The proposed antennas will be inside a hollow religious cross. The proposed minor communication facility within the hollow religious cross would be 50 feet high and will exceed the thirty (30') feet height limit of this Single Family zone. At 50 feet in height, the proposed replacement cross would cause no view blockage and shadow impacts in the area because of its

height and bulk, and would have even less impact because the existing cross is even higher by at least 7 feet. As stated earlier, the trees in close proximity to the proposed cross provide some mitigating relief from the shadow and view impacts.

The original proposal and plan sets showed the cross height of 59 feet 9-inches, but after the requested corrections were addressed, the plans were revised to lower the height to 50 feet. It is clear that the antennas will function at an acceptable coverage level at the 50 foot height.

- e. *If the proposed minor communication utility is proposed to be a new freestanding transmission tower, the applicant shall demonstrate that it is not technically feasible for the proposed facility to be on another existing transmission tower or on an existing building in a manner that meets the applicable development standards. The location of a facility on a building on an alternative site or sites, including construction of a network that consists of a greater number of smaller less obtrusive utilities, shall be considered.*

In order to avoid the need to introduce a new, freestanding structure into the area, Cingular has proposed to construct a smaller, less obtrusive facility, consisting of antennas completely hidden within a freestanding cross which would replace the existing freestanding cross that is currently developed on the north side of the site adjacent to the church. In order to completely obscure the view of the antennas, the existing 57 foot cross will be replaced with a hollow 50 foot cross with antennas hidden inside. The use of Stealth antennas mounted within the cross structure is to insure that the site will be the least obtrusive possible.

Radio frequency coverage maps were submitted by the proponent showing before and after coverage of the area with and without the proposed utility. The maps show the existing sites in this area, the current coverage from these sites, the predicted signal propagation from the site, and demonstrates the need for this facility. This proposed facility is designed as a collocation on a church cross, in order to avoid the need to construct a new monopole, which would be more visually obtrusive. An existing 57' freestanding cross will be replaced, and designed to completely hide the antennas inside the cross. As a stealth collocation, this facility already meets the requirement that the network be made up of minor communication utilities that consist of a greater number of smaller less obtrusive utilities.

SUMMARY

The proposed project is consistent with the administrative conditional use criteria of the City of Seattle Municipal Code as it applies to wireless communication utilities. The facility is minor in nature and will not be detrimental to the surrounding area while providing needed and beneficial Wireless communications service to the area.

The proposed project will not require the expansion of public facilities and services for its construction, operation and maintenance. The site will be unmanned and therefore will not require waste treatments, water or management of hazardous materials. Once installation of the facility has been completed, approximately one visit per month would occur for routine maintenance. No other traffic would be associated with the project.

DECISION - ADMINISTRATIVE CONDITIONAL USE PERMIT

The application for an administrative conditional use is **CONDITIONALLY GRANTED.**

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated November 4th, 2005. Information in the checklist was supplemented by the other materials. The information in the checklist, supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) states, in part, "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Thus, the mitigation that may be required pursuant to SEPA authority is limited. A discussion of likely adverse impacts and how they may be appropriately mitigated follows below.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant pursuant to SMC 25.05.794. Noise related the replacement of the pole, re-guiding of power lines, and other related construction noise will have an adverse affect on the surrounding residential area and proper conditioning related to allowable construction hours is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated, as a result of approval of this proposal including: increased traffic in the area and increased demand for parking due to maintenance of the facility; and increased demand for public services and utilities. These impacts are minor in scope and do not warrant additional conditioning pursuant to SEPA policies. Other long-term impacts include: height, bulk and scale impacts to the surrounding residential areas and exposure to electromagnetic emission. These long term impacts are not considered significant.

Land Use

The Seattle Land Use Code and the Street Use Code specifically contemplate and regulate the location of minor communication facilities. The administrative conditional use criteria found in SMC 23.57 adequately mitigates potential adverse impacts of siting telecommunication antennas where they could be permitted in Single Family Zones whether a proposal requires the ACU for

location on private property or requires a siting review and recommendation to the Superintendent of City Light. Therefore, the proposal does not warrant conditioning pursuant to the SEPA Land Use Policy 25.05.675 J.

Environmental Health

The City of Seattle, in conjunction with Seattle King County Department of Public Health, has determined that Personal Communication Systems (PCS) operate at frequencies far below the Maximum Permissible Exposure standards established by the Federal Communications Commission (FCC) and therefore, pose no threat to public health. Additionally, the FCC has pre-empted State and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions.

Summary

In conclusion, while there may be several adverse effects on the environment resulting from the proposed development, they would be minor in scope and would be appropriately regulated by existing codes and ordinances, short term construction impacts notwithstanding.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE PERMIT

Prior to the Issuance of the Master Use Permit (Non-Appealable):

1. The owner(s) and/or responsible party(s) shall provide that the antennas and support structures are painted to blend with the color (non-glare) of the freestanding religious cross as long as Cingular's Minor Communication facility is located inside.

Land Use Code Requirement (Non Appealable) Prior to Issuance of Master Use Permit

2. The owner(s) and/or responsible party(s) shall provide access and signage in accord with Section 23.57.010E4 which restrict access to minor communications utilities to authorized personnel. This shall be to the satisfaction of the Land Use Planner.

Prior to Building Permit Final Inspection

2. Landscaping or screening in the form of a solid cedar fence shall be erected adjacent to the north side of the church to obscure the radio cabinets that will be installed on a concrete slab on the ground and new landscaping will surround the entire fenced area. The screening or landscaping shall be integrated with the style, design, color and architectural detail of the Church structure and accessory religious cross. The height of the fence shall be six (6) feet.

For the Life of the Permit

3. The required screening and landscaping shall be maintained as long as the cellular antenna (Minor Communication Utility) is functioning on the property.

CONDITIONS – SEPA

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

4. The hours of construction activity shall be limited to non holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. This condition may be modified by DPD to allow work of an emergency nature or allow low noise work.

Signature: _____ (signature on file) Date: March 30, 2006
Joan Carson, Land Use Planner II
Department of Planning and Development
Land Use Services

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